

Message Text

UNCLASSIFIED

PAGE 01 ROME 16271 101458Z

42

ACTION L-03

INFO OCT-01 EUR-12 ISO-00 SCA-01 JUSE-00 OC-05 CCO-00 /022 W

----- 075490

P 101405Z NOV 75

FM AMEMBASSY ROME

TO SECSTATE WASHDC PRIORITY 4092

UNCLAS ROME 16271

E.O. 11652: N/A

TAGS: PFOR, CPRS, IT

SUBJECT: EXTRADITION: MICHAEL FONTANA, CARMELO RUGGIERO,
ROCCHETTO AGRESTA

REF: STATE 262041, ROME 11291, 15433

1. EMBASSY IS PLEASED FURNISH DETAILED REPORT RUGGIERO'S EXTRADITION CASE ALTHOUGH IT BELIEVES INFORMATION CONTAINED PARA 2 REFTEL 15433 SELF-EXPLANATORY.

2. ON AUGUST 6 (ROME 11291) EMBASSY INFORMED DEPARTMENT THAT MINISTRY OF JUSTICE WAS ANXIOUS ABOUT RUGGIERO'S EXTRADITION DOCUMENTATION DUE TO (A) TIME LIMITATION EXPIRING AUGUST 14 (AGRESTA'S DEADLINE WAS AUGUST 21) AND TO (B) REQUEST FOR RELEASE OF DETAINEE PRESENTED BY DEFENDING ATTORNEY. SAME MESSAGE PROMPTED BY GOI'S RELUCTANCE ACCEPT EXTRADITION DOCUMENTS WITHOUT TRANSLATIONS BUT WILLING RECEIVE THEM IF ACCOMPANIED BY IMPORTANT TRANSLATIONS, AND PROVIDED FURTHER THAT FULL TRANSLATION WOULD FOLLOW IMMEDIATELY. AT THAT TIME BOTH CHIEFS OF EXTRADITION OFFICES AT FOREIGN OFFICE AND MINISTRY OF JUSTICE POINTED OUT ABOVE PROCEDURE WAS AN EXCEPTION AND NOT TO BE CONSIDERED AS A ROUTINE PRACTICE. WITH THE INTENT OF STOPPING TIME LIMITATIONS THEY WOULD ACCEPT THE ENGLISH EXTRADITION DOCUMENTS WITH SOME TRANSLATIONS IF PRESENTED NO LATER THEN AUGUST 14.

3. DEPARTMENT'S A-5368 DATED AUGUST 12 ENCLOSING ENGLISH DOCUMENTATION WITH SOME TRANSLATIONS IN RUGGIERO AND AGRESTA'S CASES WAS RECEIVED BY THE EMBASSY ON AUGUST 19 RPT AUGUST 19. THIS FIRST SET OF PAPERS WAS PRESENTED TO THE FOREIGN OFFICE SAME UNCLASSIFIED

UNCLASSIFIED

PAGE 02 ROME 16271 101458Z

DAY (E.E. AFTER 5 DAYS OF THE EXPIRATION TIME IN RUGGIERO'S

CASE AND 2 DAYS BEFORE DEADLINE IN AGRESTA'S CASE). DEPARTMENT MAY REST ASSURED THAT BEFORE, ON AND AFTER AUGUST 14 CONSULAR OFFICER MAINTAINED CLOSE CONTACT WITH EMBASSY POUCH ROOM AND TOOK DELIVERY OF THE AIRGRAM AND ITS ENCLOSURES IMMEDIATELY UPON ITS ARRIVAL.

4. AS REPORTED BY ROME 15433 EMBASSY LEARNED OCTOBER 23 THAT SINCE NO DOCUMENTATION WHATSOEVER HAD BEEN SUBMITTED TO THE ITALIAN AUTHORITIES BY AUGUST 14, THE COURT OF APPEAL HANDLING RUGGIERO'S EXTRADITION PROCEEDING GRANTED HIS RELEASE UNDER THE PROVISIONS OF LAST PARA, ART. XIII OF THE TREATY WHICH READS: "A PERSON ARRESTED UPON SUCH AN APPLICATION (FOR PROVISIONAL ARREST) SHALL BE SET AT LIBERTY UPON THE EXPIRATION OF FORTY-FIVE DAYS FROM THE DATE OF HIS ARREST IF A REQUEST FOR HIS EXTRADITION ACCOMPANIED BY THE DOCUMENTS SPECIFIED IN ARTICLE XI SHALL NOT HAVE BEEN RECEIVED, ETC."

5. AS OF TODAY EMBASSY HAS NOT RECEIVED ANY OFFICIAL NOTIFICATION CONCERNING RUGGIERO'S RELEASE.

6. WITH REGARD TO WITHDRAWAL OF EXTRADITION REQUEST FOR RUGGIERO, PLEASE ADVISE WHEN EMBASSY CAN OFFICIALLY NOTIFY GOI.

7. FONTANA'S PROVISIONAL ARREST FOR EXTRADITION WAS REQUESTED BY NOTE VERBALE 589 DATED OCTOBER 23. FOREIGN OFFICE INFORMED EMBASSY NOVEMBER 6 THAT FONTANA WAS ARRESTED IN PALERMO FOR EXTRADITION PURPOSE ON OCTOBER 29 AND IS PRESENTLY BEING HELD AT PALERMO. EMBASSY RECOMMENDS THAT FULL DOCUMENTATION WITH COMPLETE TRANSLATIONS BE SENT IN TIME TO REACH EMBASSY BEFORE DECEMBER 12 THE DATE OF HIS PROVISIONAL ARREST EXPIRATION TERM.CALINGAERT

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION
Control Number: n/a
Copy: SINGLE
Draft Date: 10 NOV 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975ROME16271
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750390-0419
From: ROME
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751158/aaaacadr.tel
Line Count: 92
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 STATE 262041, 75 ROME 11291
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 29 OCT 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <29 OCT 2003 by chicheje>; APPROVED <12 FEB 2004 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION: MICHAEL FONTANA, CARMELO RUGGIERO, ROCCHETTO AGRESTA
TAGS: PFOR, CPRS, IT, (AGRESTA, ROCCHETTO), (RUGGIERO, CARMELO), (FONTANA, MICHAEL)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006